



0000156954

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

Arizona Corporation Commission

RECEIVED

AZ CORP COMMISSION

DOCKET CONTROL

DOCKETED

OCT 24 2014

2014 OCT 24 AM 9 05

BOB STUMP- Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF
UTILITY SOURCE, LLC, AN ARIZONA
CORPORATION, FOR A DETERMINATION OF
THE FAIR VALUE OF ITS UTILITY PLANTS
AND PROPERTY AND FOR INCREASES IN ITS
WATER AND WASTEWATER RATES AND
CHARGES FOR UTILITY SERVICE BASED
THEREON.

DOCKET NO. WS-04235A-13-0331

ORIGINAL

PROCEDURAL ORDER**BY THE COMMISSION:**

On September 27, 2013, Utility Source, LLC ("Utility Source" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for a determination of the current fair value of its utility plants and property and for increases in its rates and charges for water and wastewater utility service provided to customers in the Company's service area in Coconino County, Arizona.

On July 16, 2014, a Procedural Order was issued scheduling a hearing and ordering, among other things, that all surrebuttal testimony be filed on or before October 20, 2014.¹

On October 15, 2014, intervenor Terry Fallon ("Mr. Fallon") filed Exhibits E through G to his surrebuttal testimony.

On October 20, 2014, the Residential Utility Consumer Office ("RUCO") filed the surrebuttal testimonies of Robert Mease and Jeffrey Michlik.

On October 20, 2014, the Commission's Utilities Division ("Staff") filed the surrebuttal testimony of John A. Cassidy. Contemporaneously with that filing, Staff filed a Request for Extension of Time requesting that the deadline for filing the surrebuttal testimonies of Michael Thompson and Jorn Keller be extended to October 21, 2014. Staff represents that the Company,

¹ The procedural history for this case is more fully stated in the July 16, 2014 Procedural Order, and is incorporated herein by reference.

1 RUCO, and intervenor Erik Nielsen ("Mr. Nielsen") have no objection to Staff's request. Staff states
2 that it attempted to contact, but received no response from Mr. Fallon.

3 On October 20, 2014, Mr. Nielsen filed a Request for Time Extension requesting that the
4 deadline for filing his surrebuttal testimony be extended to October 21, 2014.² Mr. Nielsen stated he
5 would be mailing his surrebuttal testimony to Docket Control on October 20, 2014. Mr. Nielsen
6 represents that Mr. Fallon and Staff have no objection to his request. Mr. Nielsen indicates that he
7 attempted to contact, but received no response from the Company or RUCO.

8 On October 21, 2014, Staff filed the surrebuttal testimonies of Michael Thompson and Jorn
9 Keller.

10 On October 22, 2014, Mr. Nielsen filed his surrebuttal testimony.³

11 Although Staff was unable to contact Mr. Fallon, it is reasonable and appropriate to grant
12 Staff's requested extension given that Mr. Fallon had no objection to the same extension request of
13 Mr. Nielsen. Similarly, it is reasonable and appropriate to grant the extension request of Mr. Nielsen
14 given that the Company and RUCO had no objection to the same extension request of Staff.
15 Accordingly,

16 IT IS THEREFORE ORDERED that Staff's Request for an Extension of Time is granted.

17 IT IS FURTHER ORDERED that Erik Nielsen's Request for Time Extension is granted.

18 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
19 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Arizona
20 Supreme Court Rule 42). Representation before the Commission includes appearances at all hearings
21 and procedural conferences, as well as all Open Meetings for which the matter is scheduled for
22 discussion unless counsel has previously been granted permission to withdraw by the Administrative
23 Law Judge or the Commission.

24 ...

25 ...


26 ...

27 _____
28 ² Mr. Nielsen's request is dated October 17, 2014.

³ Mr. Nielsen's surrebuttal testimony is dated October 20, 2014.

1 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
2 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

3
4 DATED this 24th day of October, 2014.

5
6
7 
8 SCOTT M. HESLA
ADMINISTRATIVE LAW JUDGE

9 Copies of the foregoing mailed
10 this 24th day of October, 2014, to:


11 Steve Wene
12 MOYES SELLERS & HENDRICKS LTD.
13 1850 North Central Avenue, Suite 1100
14 Phoenix, AZ 85004
15 Attorneys for Utility Source, LLC

Janice Alward, Chief Counsel
Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, AZ 85007

16 Daniel W. Pozefsky
17 Chief Counsel
18 Residential Utility Consumer Office
19 1110 West Washington, Suite 220
20 Phoenix, AZ 85007

Steven M. Olea, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, AZ 85007

21 Erik Nielsen
22 4680 N. Alpine Dr.
23 PO Box 16020
24 Bellemont, AZ 86015

By: 
Rebecca Unquera
Assistant to Scott M. Hesla

25 Terry Fallon
26 4561 Bellemont Springs Drive
27 Bellemont, AZ 86015
28